

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte JORG GREGOR SCHIEICHER  
AND CHRISTOPHER ALLIN KITZE

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MAILED

OCT 5 - 2007

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Application No. 09/963,812

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on July 21, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

**EXAMINER'S ANSWER**

**STATUS OF CLAIMS**

On February 27, 2007, an Examiner's Answer was entered to the record. On page 2, the examiner stated that "[t]he statement of the status of claims contained in the brief is correct." However, on January 6, 2006, the appellants filed an amendment

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adding claims 28 and 29. The Final Rejection mailed March 8, 2006 indicates that only claims 1-27 were rejected. Clarification of the status of claims 28 and 29 is required. The Examiner shall notify the appellants, in writing whether or not claims 28 and 29 will be added for purposes of the appeal.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner:

- 1) for clarification of the status of claims 28 and 29; and
- 2) for such further action as may be appropriate.

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AND INTERFERENCES

By: *Patrick J. Nolan*  
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